

Title 49 CFR, Part 395

Passenger Carrying Hours-of-Service

Who is subject to the hours of service rules?

A carrier engaged in commerce within UT if it is using:

- A vehicle or a vehicle combination with a gross vehicle weight rating over 10,000 lbs.;
- A vehicle able to transport 16 or more passengers, including the driver for hire;
- Transporting hazardous materials of a type or quantity that requires the vehicle to be placarded.

Definitions

“On duty time” is all time a driver spends performing work, or being ready to work, until being relieved by the carrier of all responsibility. “On duty” time also includes any compensated work performed by the driver for a non-motor carrier entity.

“Driving time” is all time spent at the driving controls of a commercial motor vehicle in operation.

“Off duty” means the driver has been relieved of all responsibilities and is not ready for work.

“Record of duty status” is the tracing of work hours by means of a graph, grid, log or an automatic on-board recording device.

“Time record” is a time card or other record showing the time the driver reports for duty each day, total hours the driver is on duty each day, time the driver is released from duty each day, and total time for preceding days if the driver is used for first time or intermittently.

A motor carrier may not permit or require a driver to drive and no driver shall drive after:

10 hours driving time following 8 consecutive hours off-duty; being on duty 15 hours following 8 consecutive hours off duty; being on duty 60 hours in a 7 day period; being on duty 70 hours in any period of 8 consecutive days if the carrier operates every day of the week.

Time spent by a driver in a compensated non-motor carrier position is considered on duty time and must be included in the 15 hour and 60/70 hour rules. (Example: a part time position is a retail store.)

What record keeping is required?

Motor carriers shall require every driver to record duty status in duplicate for each 24-hour period.

What must be on the log?

A record of duty status must:

- Be on specific grid or automatic on-board recorder;

	<ul style="list-style-type: none"> • Be current to the last change of duty status; • Have legible entries in driver's own handwriting; • Show month, day, and year with total miles driven and • Total hours in each duty status for each 24 hours of record; • Show vehicle number, or state and license number of each vehicle operated during that 24-hour period; • Have carrier(s) name, for whom work was performed, and beginning and finishing times for each carrier.
What does a driver need to have with them?	A driver is required to have in possession a record of duty status for the previous 7 consecutive days unless an exception from regulation is granted.
How long must records of duty status be kept?	Record of duty status, supporting documents and time cards must be maintained and retained by the carrier for a period of six months.
Automatic on-board recording devices	Automatic on-board recording devices must provide immediate status verification of time and sequence of duty, status changes, current hours of service and previous 7-day status. Electronic devices must follow the rules under Section 395.15.
100 air-mile radius exemption	<p>Drivers are exempt from keeping logbooks if all of the following requirements are met:</p> <ul style="list-style-type: none"> • Operates within 100 air mile radius (115.08 miles) of the normal work reporting location. • Returns to the work reporting locations and is relieved of duties within 12 hours. • Does not exceed 10 hours driving. • Eight consecutive hours off duty separate each 12 hours on duty, and • Carrier maintains for a period of 6 months, true and accurate time records showing; state and ending times, total hours worked, total time for preceding seven days if driver is used for the first time or intermittently.
Over hours and/or false logs	Drivers found driving in excess of maximum hours or failing to keep a proper record of duty status for current day and 7 prior consecutive days shall be put out of service. A driver that is out of service (OOS) shall not be required or permitted to drive and a driver may not drive a motor vehicle until the driver has hours available.

Time Card – Log Book Combination Example (Part 395)

COMPANY NAME _____ **CITY** _____
DRIVER _____ **Date** _____
Job Name _____ **Total Miles** _____ **Fuel** _____
Truck # _____ **Pup #** _____ **Lunch** _____
Time started today _____ **Time finished today** _____ **Total hours** _____

Ticket #	Time Loaded	Weight/Time
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
Total		

DRIVERS INSPECTION REPORT

Oil _____ Antifreeze _____ Milage _____

POWER UNIT

☐ Service brakes including trailer connections
☐ Parking (hand) brake ☐ Steering mechanism
☐ Lighting devices & reflectors ☐ Tires
☐ Horn ☐ Windshield wipers
☐ Rear vision mirrors ☐ Coupling devices
☐ Wheels and rims ☐ Emergency equipment

TOWED UNIT(S)

☐ Service brakes including connections
☐ Parking (hand) brake ☐ Tires
☐ Lighting devices & reflectors ☐ Coupling devices
☐ Wheels and rims ☐ Cargo security

REMARKS: _____

Name _____ Date _____

The above information represents an accurate record of the activities performed by the operator

Certified by _____ Date _____
 Reviewing Driver _____ Date _____
 and equipment listed.

Signed _____

Repairs Made _____ **No Repairs Needed** _____
 Shop Remarks: _____

	off duty Midnight	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
Sleeper Berth																									
Driving																									
On Duty not driving																									

When the exemption found in 395.1(e) is not met the above graph must be used. Example: when driver/operator exceeds the 12-hour exemption or travels beyond a 100-mile radius of home operation.

DRIVER'S DAILY LOG

One calendar day - 24 hours

ORIGINAL - File each day at home terminal

DUPLICATE - Driver retains possession for one month

(Month)

(Day)

(Year)

(Total miles driving today)

(Vehicle numbers - (Show each unit))

I certify these entries are true and correct:

(Driver's signature in full)

(Name of Carrier or Carriers)

(Name of co-driver)

(Main Office Address)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									
2. SLEEPER BERTH																									
3. DRIVING																									
4. ON DUTY (Not Driving)																									
REMARKS																									

Pro or Shipping No. _____

DRIVERS TIME RECORD FOR A PROPERTY CARRYING COMMERCIAL DRIVER

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

Driver's may prepare this report instead of the "drivers daily log" if the following applies:

- The driver operates within a 100 air-mile radius of the normal work reporting location;
- The driver returns to the work reporting location and is released from work within 12 consecutive hours;
- The driver has at least 10 consecutive hours off duty separating each 12 hours on duty;
- The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty;
- The motor carrier that employs the driver maintains and retains for a period of 5 months accurate and true time records showing:
 - The time the driver reports for duty each day;
 - The total number of hours the driver is on duty each day;
 - The time the driver is released from duty each day; and
 - The total time for the proceeding 7 days in accordance with Part 395.8(j)(2) for drivers used for the first time or intermittently.

Date	Start Time All Duty	End Time All Duty	Total Hours	Truck #	Driving CMV Yes/No	Comments
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
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31						